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EXAMINER

TESFAMARIAM, MUSSIE

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 06/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/470,582

Applicant(s)

Steven B. Solomon et al

Examiner

Mussie Tesfamariam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 30, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-14, 16-26, 28-32, and 34-38 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, 16-26, 28-32, and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 2, 4, 6-12, 14, 16-24, 26, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Schulze, Jr. 6233564 and McGurl et al, 5893080

As per claim 1, Christensen discloses in a plurality of first devices associated with promotion sponsors the first devices operable to communicate information describing promotions to a rebate processing center see col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59; a plurality of second devices associated with consumers, the second devices operable to

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communicate information indicating purchases of products to the rebate processing center; see col 1, lines 28-33, col 2, lines 12-15, 21-32 and a first memory operable to store promotion information describing the promotions available for the purchases; see the col 5, lines 29-33, 44-46, col 16, lines 59-64, col 24, lines 44-45, the promotion information comprising for each of the promotions, see col 4, lines 11-17, a promotion sponsor identifier indicating a selected one of the promotion sponsors a promotion identifier promotion requirements. See col 4, lines 22-36.

However, he fails specifically to disclose in a plurality of disbursement option.

McGurl et al disclose in a plurality of disbursement option. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

He discloses in a second memory operable to store transaction information indicating the purchases of the products; see col 22, lines 20-26, col 24, lines 46-47. He also discloses in the transaction information of the purchases, see the abstract, a consumer identifier, col 4, lines 22-27, a rebate request, see the abstract, col 1, lines 28-33, and a promotion identifier matching to a selected one of the promotions, see col 4, lines 15-22. However, he fails specifically to disclose in and a processor operable to process rebate requests by associating the purchases with the

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promotions. Schulze, Jr. discloses in and a processor operable to process rebate requests by associating the purchases with the promotions. See the abstract, fig 4, item 108, col 1, lines 13-19, col 4, lines 50-67, col 5, lines 49-53, col 11, lines 10-18. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a processor to process rebate requests. This is because it would improve Christensen's system to gather rebate request information particularly on purchased products. He also discloses in using a report comprising selected promotion information for at least one of the promotions having a particular promotion sponsor identifier, see col 24, lines 29-37.

As per claim 2, Christensen discloses in a plurality of first devices associated with promotion sponsors the first devices operable to communicate information describing promotions to a rebate processing center see col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59.

However, he fails specifically to disclose in a plurality of disbursement options having a cash value to a recipient different than another one of the plurality of disbursement options for receiving an authorized rebate. McGurl et al disclose in a plurality of disbursement options for receiving an authorized rebate. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based

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upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 4, Christensen discloses in operable to output a rebate request form in a format suitable for mailing. See col 1, lines 34-40, col 2, lines 37-53.

As per claim 6, Christensen discloses in at least one second device is operable to receive one of the rebate status updates from the rebate processing center, the received rebate status update indicating the rebate request status for rebate requests submitted to the rebate processing center by a user of the second device. See the abstract, col 2, lines 12-20.

As per claim 7, Christensen discloses in at least one second device is operable to receive an authorization upon approval of a rebate request. See col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59. However, he fails specifically to disclose in the authorization having a plurality of selectable disbursement options. McGurl et al disclose in the authorization having a plurality of selectable disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to authorize the payment of selectable disbursements option.

As per claim 8, Christensen discloses in a plurality of first devices associated with promotion

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sponsors the first devices operable to communicate information describing promotions to a rebate processing center see col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59; a plurality of second devices associated with consumers, the second devices operable to communicate information indicating purchases of products to the rebate processing center; see col 1, lines 28-33, col 2, lines 12-15, 21-32 and a first memory operable to store promotion information describing the promotions available for the purchases; see the col 5, lines 29-33, 44-46, col 16, lines 59-64, col 24, lines 44-45, the promotion information comprising for each of the promotions, see col 4, lines 11-17, a promotion sponsor identifier indicating a selected one of the promotion sponsors a promotion identifier promotion requirements. See col 4, lines 22-36.

However, he fails specifically to disclose in a plurality of disbursement option.

McGurl et al disclose in a plurality of disbursement option. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options.

This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

He discloses in a second memory operable to store transaction information indicating the purchases of the products; see col 22, lines 20-26, col 24, lines 46-47. He also discloses in the transaction information of the purchases, see the abstract, a consumer identifier, col 4, lines 22-

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27, a rebate request, see the abstract, col 1, lines 28-33, and a promotion identifier matching to a selected one of the promotions, see col 4, lines 15-22. However, he fails specifically to disclose in and a processor operable to process rebate requests by associating the purchases with the promotions. Schulze, Jr. discloses in and a processor operable to process rebate requests by associating the purchases with the promotions. See the abstract, fig 4, item 108, col 1, lines 13-19, col 4, lines 50-67, col 5, lines 49-53, col 11, lines 10-18. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a processor to process rebate requests. This is because it would improve Christensen's system to gather rebate request information particularly on purchased products. He also discloses in using a report comprising selected promotion information for at least one of the promotions having a particular promotion sponsor identifier, see col 24, lines 29-37.

As per claim 9, Christensen discloses in receiving promotion information from a plurality of promotion sponsors describing the promotions; see col 1, lines 28-34, col 2, lines 12-20, col 5, lines 51-57; to receive transaction information from a plurality of consumers indicating the product purchases. See col 6, lines 51-55.

As per claim 10, Christensen discloses in the interface is operable to receive information electronically using the Internet. See col 10, lines 54-64.

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As per claim 11, Christensen discloses in the interface is operable to receive transaction information entered from a rebate request form mailed by a purchaser of a product. See col 1, lines 34-40, col 2, lines 37-53.

As per claim 12, Christensen discloses in an interface operable to communicate one of the promotion reports to a promotion sponsor in response to a request from the promotion sponsor. See col 2, lines 12-18, col 5, lines 51-57, col 24, lines 29-37.

As per claim 14, Christensen discloses in interface to communicate an authorization to a consumer upon approving a rebate request. See col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59. However, he fails specifically to disclose in the authorization having a plurality of selectable disbursement options. McGurl et al disclose in the authorization having a plurality of selectable disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 16, Christensen discloses in a product identifier. See col 6, lines 5-7. However, he fails specifically to disclose in a plurality of disbursement options having a cash value to a recipient different than another one of the plurality of disbursement options for receiving an

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authorized rebate. McGurl et al disclose in a plurality of disbursement options for receiving an authorized rebate. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 17, Christensen discloses in rebate or gift certificates. See the abstract, col 1, lines 28-32, col 2, lines 1-4. However, he fails specifically to disclose in disbursement options.

McGurl et al disclose in disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options.

This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 18, Christensen discloses in a product identifier; see col 6, lines 5-7, an end date for the promotion; see col 1, lines 52-58; and a geographic target for the promotion. See col 6, lines 5-6, 45-47, col 18, lines 53-56, fig 3, item 310.

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As per claim 19, Christensen discloses in personal information of the purchaser of the product; see fig 3, item 310, fig 11, col 24, lines 16-19 and purchase information. See the abstract.

As per claim 20, Christensen discloses in storing promotion information comprising for each of the purchases, a consumer identifier indicating one of the consumers and a promotion identifier matching to as selected one of the promotions; see the col 5, lines 29-33, 44-46, col 16, lines 59-64, col 24, lines 44-45; storing transaction information indicating a plurality of product purchases; see col 22, lines 20-26, col 24, lines 46-47. He also discloses in using a report comprising selected promotion information for at least one of the promotions having a particular promotion sponsor identifier, see col 24, lines 29-37. However, he fails specifically to disclose in processing rebate requests by associating the product purchases with the promotions. Schulze, Jr. discloses in processing rebate requests by associating the product purchases with the promotions. See the abstract, fig 4, item 108, col 1, lines 13-19, col 4, lines 50-67, col 5, lines 49-53, col 11, lines 10-18. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a processor to process rebate requests. This is because it would improve Christensen's system to gather rebate request information particularly on purchased products.

As per claim 21, Christensen discloses in receiving, from a plurality of promotion sponsors, see col 1, lines 28-34, col 2, lines 12-20, col 5, lines 51-57; receiving, from a plurality of consumers, transaction information indicating the product purchases. See col 6, lines 51-55.

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As per claim 22, Christensen discloses in the interface is operable to receive information electronically using the Internet. See col 10, lines 54-64.

As per claim 23, Christensen discloses in the interface is operable to receive transaction information entered from a rebate request form mailed by a purchaser of a product. See col 1, lines 34-40, col 2, lines 37-53.

As per claim 24, Christensen discloses in receiving a request from a promotion sponsor for a status of promotions associated with the promotion sponsor determining a promotion sponsor identifier for the promotion sponsor; see col 2, lines 13-20 generating a promotion report for at least one of the promotions associated with the determined promotion sponsor identifier, see col 23, lines 21-27, col 24, lines 12-19, 33-38 and communicating the the generated promotion report to the promotion sponsor. See col 2, lines 12-18, col 5, lines 51-57, col 23, lines 21-27.

As per claim 26, Christensen discloses in interface to communicating an authorization to a consumer upon approving a rebate request. See col 1, lines 66-67, col 2, lines 12-20, col 5, 52-57, col 6, lines 56-59. However, he fails specifically to disclose in the authorization having a plurality of selectable disbursement options. McGurl et al disclose in the authorization having a plurality of selectable disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based

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upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 28, Christensen discloses in a product identifier. See col 6, lines 5-7. However, he fails specifically to disclose in a plurality of disbursement options for receiving an authorized rebate. McGurl et al disclose in a plurality of disbursement options for receiving an authorized rebate. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options. This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 29, Christensen discloses in rebate or gift certificates. See the abstract, col 1, lines 28-32, col 2, lines 1-4. However, he fails specifically to disclose in disbursement options.

McGurl et al disclose in disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options.

This is because it would improve Christensen's system to generate a plurality of payment

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disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 30, Christensen discloses in a product identifier; see col 6, lines 5-7, an end date for the promotion; see col 1, lines 52-58; and a geographic target for the promotion. See col 6, lines 5-6, 45-47, col 18, lines 53-56, fig 3, item 310.

As per claim 31, Christensen discloses in a promotion identifier; See col 2, lines 12-20, col 5, lines 47-55; personal information of the purchaser of the product; see fig 3, item 310, fig 11, col 24, lines 16-19 and purchase information. See the abstract.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Schulze, Jr., 6233564 and McGurl et al, 5893080 as applied to claim 1 above, and further in view of Blinn et al, 5999914.

As per claim 5, Christensen discloses in a number of rebate requests. See the abstract, col 1, lines 28-30, col 2, lines 13-15. He also discloses in one of the promotion reports the received promotion report comprising a number of rebate requests. See col 24, lines 12-18, 20-24, 33-38. However, he fails specifically to disclose a breakage rate for each promotion associated with a promotion sponsor. Blinn et al disclose in a breakage rate for each promotion associated with a promotion sponsor. See col 1, lines 65-67 - col 2, lines 1-5, col 40, lines 36-38. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was

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made to modify Christensen's system such that it will have a breakage rate. This is because it would improve Christensen's system to determine each rebate request at any breakage rate.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Schulze, Jr., 6233564 and McGurl et al, 5893080 as applied to claim 8 above, and further in view of Blinn et al, 5999914.

As per claim 13, Christensen discloses interface operable to communicate a status of promotions associated with a promotion sponsor, the status comprising a number of rebate requests. See the abstract, col 1, lines 28-30, col 2, lines 13-15. He also discloses in one of the promotion reports to a promotion sponsor in response to a request from the promotion sponsor. See col 2, lines 12-18, col 5, lines 51-57, col 24, lines 29-37.

However, he fails specifically to disclose a breakage rate for each promotion associated with a promotion sponsor. Blinn et al disclose in a breakage rate for each promotion associated with a promotion sponsor. See col 1, lines 65-67 - col 2, lines 1-5, col 40, lines 36-38. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a breakage rate. This is because it would improve Christensen's system to determine each rebate request at any breakage rate.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Schulze, Jr., 6233564 as applied to claim 24 above, and further in view of Blinn et al, 5999914.

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As per claim 25, Christensen discloses interface operable to communicate a status of promotions associated with a promotion sponsor, the status comprising a number of rebate requests. See the abstract, col 1, lines 28-30, col 2, lines 13-15. He also discloses in one of the promotion reports the received promotion report comprising a number of rebate requests. See col 24, lines 12-18, 20-24, 33-38. However, he fails specifically to disclose a breakage rate for each promotion associated with a promotion sponsor. Blinn et al disclose in a breakage rate for each promotion associated with a promotion sponsor. See col 1, lines 65-67 - col 2, lines 1-5, col 40, lines 36-38. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a breakage rate. This is because it would improve Christensen's system to determine each rebate request at any breakage rate.

6. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Perkowski, 5950173

As per claim 32, Christensen discloses in display a plurality of fields for entry by a user to create a promotion for a product bearing a rebate; see the abstract, fig 4, fig 6, fig 12, fig 14, col 2, lines 37-47; receive promotion information for the promotion; see col 2, lines 12-17; communicate promotion information to a remote rebate processing center; see col 10, lines 55-64. However he fails specifically to disclose in receiving a status of the promotion based on purchases of the product in receiving a status of the promotion based on purchases of the product. Perkowski, disclose in receiving a status of the promotion based on purchases of the product in receiving a

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status of the promotion based on purchases of the product. See the abstract. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have promote based on purchases of the product.

This is because it would improve Christensen's system to generate promoted products.

As per claim 34, Christensen discloses in rebate or gift certificates. See the abstract, col 1, lines 28-32, col 2, lines 1-4. However, he fails specifically to disclose in disbursement options.

McGurl et al disclose in disbursement options. See the abstract, fig 1, items 18, 32, fig 2, items 54, 72, col 1, lines 5-10, col 2, lines 10-20, 63-67, col 6, lines 56-59, col 8, lines 52-57.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have disbursement options.

This is because it would improve Christensen's system to generate a plurality of payment disbursements based upon plurality of requests and to automatically determine which of the plurality of types corresponds to account information.

As per claim 35, Christensen discloses in a product identifier; see col 4, lines 23-27, col 6, lines 5-7, an end date for the promotion; see col 1, lines 52-58; and a geographic target for the promotion. See col 6, lines 5-6, 45-47, col 18, lines 53-56, fig 3, item 310.

As per claim 36, Christensen discloses in the interface is operable to receive and communicate promotion information repeatedly to create a plurality of promotions for the remote rebate processing center. See col 1, lines 34-40, col 2, lines 37-53.

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As per claim 37, Christensen discloses in the interface is web-based and is further operable to communicate promotion information and receive a status of the promotion electronically using the Internet. See col 21, lines 36-44.

7. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christensen, 6035280 in view of Perkowski, 5950173 as applied to claim 32 above, and further in view of Blinn et al, 5999914.

As per claim 38, Christensen discloses in a number of rebate requests. See the abstract, col 1, lines 28-30, col 2, lines 13-15. However, he fails specifically to disclose a breakage rate. Blinn et al disclose in a breakage rate. See col 1, lines 65-67 - col 2, lines 1-5, col 40, lines 36-38.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Christensen's system such that it will have a breakage rate. This is because it would improve Christensen's system to determine each rebate request at any breakage rate.

Conclusion

7. Claims 1-2, 4-14, 16-26, 28-32, 34-38 are rejected.

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Mori, US Patent 5,200,889 Apr. 06, 1993. A Sales-data-processing having a storing device for storing rebate information or the equivalent input device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mussie Tesfamariam** whose telephone number is **(703)305-1393**. The examiner can normally be reached on Monday - Friday from 9:00 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the **examiner's supervisor, Eric Stamber** can be reached at **(703) 305-8469**.

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Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9326, (for formal communications intended for entry Before Final)

Or:

(703) 746-5546, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Or:

(703)872-9327, (for After-Final)

Or:

(703)-872-9325 (for customer Service)

Or: **(703)-308-113**, (Receptionist Phone)

Hand-delivered responses should be brought to **Crystal park V, 2451 Crystal Drive**

Arlington, Virginia, (Receptionist).

Mussie Tesfamariam

June 25, 2002

Steve Gravini for GWS

**STEPHEN GRAVINI
PRIMARY EXAMINER**

Response to Arguments

10. Applicant's arguments filed on 04/30/02 have been fully considered but they are not persuasive.

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11. The Applicant is arguing that the amended claims aren't disclosed by the prior arts. The Examiner disagrees. Because the combination of prior arts disclose the elements of the claims. See the reason given in the above paragraphs.

12. The Applicant argues with respect to Perkowski lacking of teaching or suggesting the ability to generate promotions having multiple options for receiving an authorized rebate, with at least two of the options having different cash values to a recipient. The Examiner disagrees. Because Perkowski teaches the ability to generate promotions having multiple options for receiving an authorized rebate, with at least two of the options having different cash values to a recipient. See the reasons given in the above paragraphs.

13. The Applicant argues with respect to Christensen and Perkowski lacking of teaching or suggesting the ability to generate promotions having multiple options for receiving an authorized rebate, with at least two of the options having different cash values to a recipient. The Examiner disagrees. Because the combination of Christensen and Perkowski disclose in the ability to generate promotions having multiple options for receiving an authorized rebate, with at least two of the options having different cash values to a recipient. See the given reasons in the above paragraphs.

14. Therefore, all dependent claims are rejected due to their dependency on the rejected base claims.

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